IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 3595 OF 2005

IN

FIRST APPEAL NO. 1442 OF 2005

M/s. Alandi Forge Pvt. Ltd.
& Ors. ..Appellants

versus

Omprakash Soni ..Respondent

Mr. P. V. Patil for the Appellants.
Mr. H. Jain ib. M/s. Udwadia & Udeshi for the Respondent.

CORAM : D. G. DESHPANDE,J.

DATE : 21ST OCTOBER,2005

P.C. :

1. Heard.

2. This is an application for stay. Execution of the decree was stayed. Appellants have deposited the entire amount before the trial court i.e. during the pendency of the suit itself. Counsel for

the respondent prays that since it is a money decree and that the Respondent may be allowed to withdraw atleast 50% of the decretal amount. Considering the claim involved, the respondent is permitted to withdraw 50% of the amount deposited by the appellants before the trial court, upon furnishing security to the satisfaction of the trial court. The trial court to invest rest of the amount in a nationalised bank initially for a period of two years. Execution is stayed till the disposal of the appeal. Civil Application stands disposed of.

3. Appeal is admitted.

21.10.2005 (D.G. DESHPANDE, J.)